

Message

From: Bohan, Suzanne [bohan.suzanne@epa.gov]
Sent: 11/11/2018 10:43:24 PM
To: Benevento, Douglas [benevento.douglas@epa.gov]; Thomas, Deb [thomas.debrah@epa.gov]
CC: Thompson, Christopher [Thompson.Christopher@epa.gov]; Palomares, Art [Palomares.Art@epa.gov]; Mutter, Andrew [mutter.andrew@epa.gov]; Mylott, Richard [Mylott.Richard@epa.gov]; Opekar, Kimberly [Opekar.Kimberly@epa.gov]
Subject: Colorado Springs MS4 Case- Decision Issued
Attachments: show_temp.pdf; ATT00001.htm

Doug and Deb -

On Friday afternoon, the Federal District Court in Denver issued its decision related to the Colorado Springs MS4 mini-trials. DOJ's press statement is below and the Court's decision is attached. I haven't read the decision yet, but based on DOJ's press statement, it was a significant win for EPA.

Suzanne

From: "Hammond, Lauren" <Hammond.Lauren@epa.gov>
Date: November 9, 2018 at 2:39:14 PM MST
To: "Mylott, Richard" <Mylott.Richard@epa.gov>
Cc: "Thompson, Christopher" <Thompson.Christopher@epa.gov>, "Swanson, Amy" <Swanson.Amy@epa.gov>, "DeJong, Stephanie" <DeJong.Stephania@epa.gov>, "Palomares, Art" <Palomares.Art@epa.gov>, "Hammond, Lauren" <Hammond.Lauren@epa.gov>
Subject: FW: Press Desk Statement/ Quote (for DOJ) - FYI

Desk statement regarding the Colorado Springs win in US District Court for the District of Colorado.

Lauren Hammond
U.S. EPA Region 8
(303) 312-7081

From: Hoffman, Heidi K (ENRD) <Heidi.Hoffman@usdoj.gov>
Sent: Friday, November 9, 2018 2:31 PM
To: Fergusson, Bruce <Fergusson.Bruce@epa.gov>; Jackson, Laurianne <Jackson.Laurianne@epa.gov>; Hammond, Lauren <Hammond.Lauren@epa.gov>
Subject: Press Desk Statement/ Quote (for DOJ) - FYI

DESK STATEMENT FOR OPA (United States, et al. v. City of Colorado Springs) (D. Colo.)

[Background: Today the United States District Court in Colorado (Judge Richard Matsch) ruled that the City of Colorado Springs violated its Clean Water Act Municipal Separate Storm Sewer System Permit by: 1) Granting waivers for permanent stormwater controls at a residential development that did not meet permit requirements; 2) Failing to provide adequate oversight and enforcement at an active construction site; and 3) Approving the design and installation of

an Extended Detention Basin that did not meet permit requirements, and consequently failed to ensure adequate long-term operation and maintenance of this Extended Detention Basin.]

“The United States is pleased that the Court recognizes the importance of stormwater permit compliance under the Clean Water Act. This is the first such case to be tried before a District Court, and will serve as an important precedent to other municipalities.”

Heidi Hoffman
U.S. Department of Justice
Environmental Enforcement Section
Denver Place Towers
999 18th Street/ Suite 370 South Terrace
Denver, CO 80202
(303) 844-1392
Heidi.Hoffman@usdoj.gov